

REMARKS

The Office Action mailed June 30, 2009 has been received and carefully noted. Please amend the claims as shown above. Favorable reconsideration of the pending claims is respectfully requested in view of the amendments and the following comments.

Claim Objections

Claims 12, 14, 19-21, 24, 25, 28, 30, and 32 are objected to as shown on page 2 of the Office Action. The Examiner objects to the spelling of the terms “equalising” and “equalised.” These terms have been amended in the claims to recite “equalizing” and “equalized” as suggested by the Examiner. Withdrawal of these objections is respectfully requested.

Claim Rejections

Claims 27 and 28 are rejected under 35 U.S.C. §112, second paragraph as shown on page 2 of the Office Action. The Examiner asserts that claims 27 and 28 recite the limitations “(a)” and “(b),” respectively, with insufficient antecedent basis. However, these claims depend from claim 25, which contains the limitations “(a)” and “(b).” Thus, an amendment is not necessary to resolve this issue. Withdrawal of these rejections is respectfully requested.

Claims 12-13, 19, 25-27, 29-31 are rejected under 35 U.S.C. §102(a) as being anticipated by applicant’s admitted prior art. Claims 1-2, 7-8, 11, 14, 20, 28 and 32 are rejected under 35 U.S.C. §103(a) as being unpatentable over applicant’s admitted prior art in view of Eberlein et al. (Eberlein hereinafter) (US 6,973,121). Claims 4-6, 15-18, 21 are rejected under 35 U.S.C. §103(a) as being unpatentable over applicant’s admitted prior art and Eberlein et al. (Eberlein hereafter) (US 6,973,121) as applied to claims 3, 14, 20 above, and further in view of Ghosh et al. (Ghosh hereinafter) (US 2002/0154247) and Choi (US 5,502,506). Withdrawal of these rejections is respectfully requested because the cited references do not disclose each and every element of the claims.

The Application is directed to an on-channel repeating apparatus. Independent claims 1, 7, 12, and 19 have been amended with respect to the baseband signal in the on-channel repeater.

As shown in Figure 8 of the Specification, an equalizer identified as element 805 removes noise and multipath signals from the baseband signal (*See* Specification, pg. 13). It is noted that error correction decoding and encoding is not performed in this apparatus (*See Id.* at pg. 15) as it would be in the prior art (*See Id.* at Figure 6). Therefore, the independent claims are amended to clarify that “converting the baseband signal **received directly** from the equalizing unit, into an IF signal” (*See e.g.*, independent claim 1, emphasis added). The prior art Figure 6 of the Specification cited by the Examiner (*See* Office Action, pg. 3) does not disclose this aspect because error correction decoding and encoding precludes the signal from being received and converted directly into an IF signal. This aspect would not be obvious to one of ordinary skill in the art. As alluded to in the Background, one of ordinary skill in the art would not have found this configuration obvious because error correction decoding and encoding simply corresponds to the accepted standards of ATSC A.53 (*See* Specification, pg. 6).

In view of the foregoing, anticipation and obviousness has not been established with respect to the amended independent claims (and the claims that depend therefrom). Accordingly, withdrawal of these rejections is respectfully requested.

CONCLUSION

In view of the foregoing, it is believed that all claims now pending patentably define the subject invention over the prior art of record, and are in condition for allowance and such action is earnestly solicited at the earliest possible date. If the Examiner believes a telephone conference would be useful in moving the case forward, he is encouraged to contact the undersigned at (310) 207-3800.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP

Dated: 9/10, 2009

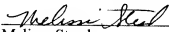

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I hereby certify that this paper is being transmitted online via EFS Web to the Patent and Trademark Office, Commissioner for Patents, Post Office Box 1450, Alexandria, Virginia 22313-1450, on 9-11, 2009.

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Melissa Stead